

## **Record of Proceedings**

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<b>CALL TO ORDER</b>	A regular meeting of the Council Bluffs City Council was called to order by Mayor Tom Hanafan at 7:00 p.m., July 28, 2008.
<b>ATTENDANCE</b>	Present: Council members Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Tom Hanafan. Staff present: Richard Wade, City Attorney; Judith Ridgeley, City Clerk
<b>CONSENT AGENDA</b>	Belt and Branigan moved and seconded approval of the Consent Agenda as read. Unanimous
<b>PUBLIC HEARINGS</b> Resolution 08-221	Held public hearing approving the plans, specifications, form of contract and cost estimate for the Digester Cover Repair project. Belt and Schultz moved and seconded approval of Resolution 08-221. Unanimous
Resolution 08-222	Held public hearing supporting the Police Department's application for a Justice Assistance Grant (JAG). Branigan and Schultz moved and seconded approval of Resolution 08-222. Unanimous
Resolution 08-223	Held public hearing granting final plat approval for a replat of Bluffs Vision Commercial Subdivision creating a two-lot subdivision to be known as Wedge Resort Subdivision. Branigan and Bates moved and seconded approval of Resolution 08-223. Mr. Martin Greenberg, 3127 W. Wisconsin, Milwaukee, WI and Mr. Josh Schultz, 400 N. Main, Lake Mills, WI spoke in favor of the Resolution and presented drawings of the proposed project. Unanimous
Resolution 08-224	Held public hearing to vacate and dispose of Mid-America Loop right-of-way abutting Lots 1 through 7, Bluffs Vision Commercial Subdivision. Bates and Walsh moved and seconded approval of Resolution 08-224. Unanimous
Resolution 08-225	Held public hearing authorizing disposal of City property legally described and the west 31.5 feet of Lot 5, Block 9, Bayliss 2 <sup>nd</sup> Addition. Branigan and Schultz moved and seconded approval of Resolution 08-225. Unanimous
Resolution 08-226	Held public hearing authorizing the disposal of the City's interest in a thirty foot permanent sanitary sewer easement and a blanket storm water easement both in Metro Crossing Subdivision. Mr. Les Martin, 233 Pearl Street spoke in favor of the Resolution. Bates and Schultz moved and seconded approval of Resolution 08-226. Unanimous
<b>ORDINANCES ON FIRST READING</b> Ordinance 6006	Belt and Bates moved and seconded approval of Ordinance 6006, amending the zoning map by changing the district designation from R-1/Single Family Residential to R-3/Low Density Multi-Family Residential at #4 Elliott Street, and setting public hearing for August 11, 2008 at 7:00 p.m. Unanimous
Ordinance 6007	Walsh and Bates moved and seconded approval of Ordinance 6007, amending Chapter 1.40 by repealing Section 1.40.150 and enacting a new Section 1.40.150 "Complaint procedures". ROLL CALL VOTE: 0 Aye; 5 Nay Motion failed.

**RECORD OF PROCEEDINGS**

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<b>Ordinance 6008</b>	Belt and Schultz moved and seconded approval of Ordinance 6008, amending Title 4 of the Municipal by enacting a new Chapter 4.21, entitled "Urban Deer Management Program". Bates moved to amend Ordinance 6008 by providing for a minimum distance of 500 feet of any residence and a minimum distance of 150 feet from any City bicycle or public trail. VOICE VOTE ON AMENDMENT: 5 Aye VOICE VOTE ON ORDINANCE 6008: 5 Aye
<b>RESOLUTIONS</b> <b>Resolution 08-227</b>	Belt and Walsh moved and seconded approval of Resolution 08-227, adopting a Planned Commercial Development Plan for Bucky's Express gasoline station located in part of Blocks 72 and 97, vacated 28 <sup>th</sup> Avenue right-of-way. Unanimous
<b>Resolution 08-228</b>	Belt and Bates moved and seconded approval of Resolution 08-228, amending the approved Planned Commercial Development Plan for Metro Crossing Subdivision by adopting a development plan for Lots 16 and 17. Unanimous
<b>Resolution 08-229</b>	Belt and Bates moved and seconded approval of Resolution 08-229, amending the approved Planned Commercial Development plan for Lot 4, Bluffs Vision Subdivision, replat 1, relative to signage at Hooter's Restaurant. Unanimous
<b>Resolution 08-230</b>	Belt and Bates moved and seconded approval of Resolution 08-230, granting preliminary approval for a 59-lot single family residential subdivision to be known as Fox Run Landing – Phase III, including a variance to allow lots to exceed the 3 to 1 depth to width ratio. Mr. Brand Pointe, 3102 Gold Rush Drive spoke against the Resolution. Mr. John Jerkovich, 535 West Broadway spoke in favor of the project. Branigan and Belt moved and seconded to receive and file pictures presented by Mr. Pointe. Unanimous. ROLL CALL VOTE: 4 Aye, 1 Abstain (Walsh)
<b>Resolution 08-231</b>	Branigan and Belt moved and seconded approval of Resolution 08-231, directing the Mayor and City Clerk to execute an agreement with the Iowa Department of Transportation for the expansion of exhibits at the Union Pacific Railroad Museum. Unanimous
<b>Resolution 08-232</b>	Belt and Schultz moved and seconded to approve Resolution 08-232, authorizing the Mayor and City Clerk to execute IDOT Agreement No. 2008-16-183 in connection with the railroad corridor relocation associated with the interstate construction. Unanimous
<b>Resolution 08-233</b>	Schultz and Bates moved and seconded approval of Resolution 08-233, supporting the renaming of the US Highway 6 Bridge over the Missouri River to "The Major General Grenville M. Dodge Bridge. Unanimous
<b>Resolution 08-234</b>	Belt and Bates moved and seconded approval of Resolution 08-234, accepting the work of RD Blue Construction in connection with the Valley View Extension Project – College Road Reconstruction and authorizing the Interim Finance Director to issue a check in the amount of \$30,215.25 Unanimous

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Resolution 08-235

Belt and Walsh moved and seconded approval of Resolution 08-235, approving the nineteenth addendum to the contract for the operation of a sexually transmitted disease clinic. Unanimous

**MAYOR'S APPOINTMENTS**

Walsh and Branigan moved and seconded to concur with the Mayor's appointments to the Council Bluffs Arena and Convention Center Commission and the Civil Rights Commission. Unanimous

**RECEIVE AND FILE ITEMS**

Belt and Branigan moved and seconded to receive and file the following: Cash Balance Statement, June 30, 2008; List of Bills, June 30, 2008; Stipulation for Voluntary Settlement; and ten notices of claim/loss. Unanimous

**APPLICATIONS FOR PERMITS  
OR CANCELLATIONS**

Walsh and Belt moved and seconded approval of the following applications for permits: new liquor license application for Boxer Barbecue Company; renewal of liquor licenses for Bucky's Express #27, Fox Run Golf Course, Lipstix, and Quick Trip #575; and Iowa retail cigarette/tobacco permits for G's Phillips 66, Goldmine Bar & Grill, Quarthouse Lounge, Tobacco Hut #6, and Walgreens #5306. Unanimous

**ADJOURNMENT**

There being no further business, Belt and Schultz moved and seconded to adjourn the meeting at 7:43 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

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Thomas P. Hanafan, Mayor

ATTEST:

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Judith H. Ridgeley, City Clerk